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whole European problem of small nationalities, it is easily seen that it is simplicity itself, for a reconstruction of Europe in accordance with the principle of nationality means also the freeing of the French and Danes in Germany, the creation of a Yougo-slav state and emancipation of Poland. All these questions, whether difficult or easy, must be faced unflinchingly.

Let us not forget that the Czech question is also one of restoration. The Hapsburgs were called to the Bohemian throne by the free will of the representatives of the Bohemian state, and they undertook by solemn oath and pledges to protect and safeguard the independence of this state. The violation of such pledges and the deprivation of the Czechs of independence by force, do not do away with their legal rights, so that the Bohemian case has the strongest possible legal sanction.

The fact that the Czechs at one time had a strong and powerful state, well organized, is also a sufficient proof of inherent political capacity.

Bismarck maintained that the power ruling Bohemia rules Europe. This best illustrates the importance of the Bohemian question as an international problem. Without an independent Bohemian-Slovak state permanent peace cannot be realized.

THE RIGHTS OF THE JEWS AS A NATION

BY J. L. MAGNES

New York.

It is good American doctrine to hold that all nations, large and small, have a right to life, liberty and the pursuit of happiness. But many nations, either because of their own aggression or the aggression of others, have found and still find that this right is questioned. The possible difference between today and yesterday is that, particularly since the aims of the present war have been formulated, the big nations say that they have less inclination than before to dispute the rights of small nations.

Aside from political and commercial reasons, this recognition of the rights of small nations may be a reaction from the effects of our mechanistic, technical civilization. It may be that even the

big nations instinctively feel that man does not live by bread alone, but that in each nation, however small in number or deficient in mechanical efficiency, or backward in politics, there are distinctive qualities of spirit, the loss of which would be a loss to the spiritual treasures of mankind. But the natural right to live, and to seek liberty and happiness, is different from historical or political rights. Just what rights a nation's history gives it is questionable, and a matter that has usually been determined by the arbitrament of arms. Our discussion is an attempt to determine what the rights of small nations ought to be without resort to force. In order to do justice, this should be done for each nation by a member of that nation.

Let me try to do this in a measure for the Jews.

But the question is asked immediately: Are the Jews a nation?

This brings us to the confusion and looseness in the use of the term nation. We shall probably have as many definitions of the term as there are nations themselves. For myself, I regard as a nation any considerable group who regard themselves as a nation as they themselves define the term. Any other conclusion is, it seems to me, the approved method of setting up the straw man to knock him down. If we examine our speech, we shall find that we use interchangeably the terms nation, nationality, people, race, ethnic group, state, citizenship, country, land. If the Academy can bring some order into this confusion, many persons and nations meaning the same thing might be spared the humiliation of fighting one another. Until then, all attempts must prove fatal to set up dogmatic criteria by which a "nation" is to stand or fall, or to be measured, in order to be entitled to the rights of a nation. It may be that, measured by the standards of the big nations, the small nations ought not to be called nations at all. But that the small nations are an existing fact and are something or other, by whatever name they be called, is clear. It therefore seems to me that we are not far afield if we regard as nations such considerable groups of persons as regard themselves as nations, however they themselves may define the term.

Take the Jews for example. Not all of them regard themselves as a nation. Yet the overwhelming majority—some millions, in fact—do. And what is of equal importance, these millions want the Jews to continue to be a nation, *i. e.*, they have the national

will-to-live. Under these circumstances, is it not rather academic to question whether or not the Jews are among the small nations?

Many Jews object to classifying the Jews as a nation because the word has political implications. In American usage we say that a man cannot have a dual nationality, *i. e.*, he cannot owe political allegiance to more than one state. The word nation and its derivatives are so bound up with the conception of political allegiance to the state that many Jews fear that the termnation as applied to the Jews would only subject them to the unjust charge of owing allegiance not only to the American State, but to a Jewish political nationality as well. From this point of view the use of the term nation in connection with the Jew is, indeed, confusing and apt to lead to misunderstanding. Those Jews who regard themselves as a nation certainly do not wish to imply a divided political allegiance on the part of any Jew.

If the term people instead of nation is used of the Jews, the matter becomes much simpler. What "national" elements has this people?

The Jews may be said to be of the same *race*. This does not mean that they are a pure race, or, indeed, that there is any such thing as a pure race. Nor does it mean to imply any mystic quality in the conception of race. It means merely that for many centuries the Jews have, as far as they were able, married among themselves. In fact, their religion in its earliest records and up to the present day makes it imperative that they should.

The Jews have a distinctive *language*, the Hebrew. Whereas many Jews are ignorant of Hebrew, this language has never ceased to be a spoken language among them. Moreover, it has always been and it now is their chief language of literary and spiritual expression. It is an impressive bond of unity among Jews. But not only have they a "national" language. They seem also to have a "national" language sense, *i. e.*, they have in many respects (and for this they have been ridiculed and condemned—unjustly, in my opinion) made languages out of the old Greek, the Persian, the Spanish and the German. The Jewish-German, for example, *i. e.*, the Yiddish, is a distinctive Jewish language spoken by millions of Jews, and by Jews alone.

The Jews have a *common history*, *i. e.*, they are conscious of a common past, and their present day life is made up in large measure

of elements derived from the past. The attitude towards them of their non-Jewish neighbors everywhere has always been and now is about the same, *i. e.*, sometimes individual Jews are judged as individuals in accordance with their merits or weaknesses, but as a rule the Jews are judged as a class, particularly when judged in a hostile sense. This attitude of their neighbors gives rise to common interests, particularly material interests, among Jews. But quite aside from this attitude of their non-Jewish neighbors, they have developed common spiritual interests out of their inner life. The Jewish religion is the chief of these. This religion, in addition to the highest concepts of a universal character, is composed of a "national" liturgy, "national" traditions, "national" ceremonials, "national" holidays, a "national" literature, "national" aspirations, and a "national" religious life. Aside from the specifically religious, the Jews have also developed a "national" culture, with many of the aspects of the national cultures of other "nations."

A people with so many distinctly "national" elements would be regarded as a full fledged "nation" by everyone using the term, if it were on its own soil and under its own government. Is it among the rights of such a people to lay claim to its own soil and its own government?

The Jews being a peculiar people, the answer to this question must be peculiar. It is yes and no.

The Jews are to be found in almost every country. Their national rights there must be dependent upon the rights of the other nations, peoples, races or communities in each respective state. In Austro-Hungary, where the rights of nationalities to national life, freedom and the pursuit of happiness are constitutionally recognized, the Jews, living in compact masses in Galicia and Bukowina, have the right to be recognized as a nation. The same holds true of Poland and Lithuania, and I have no doubt that the democracy of Russia will recognize the rights of the Jewish nation, just as the rights of all the small nations making up the Russian State will be recognized. Just what political rights are here involved must be dependent upon the general makeup of the state and its attitude towards its constituent nationalities. In the United States, where the state recognizes only the rights of individuals and not of nations, nationalities, races or peoples, the rights of the small "nations" here, the Jews among them, must necessarily

have no political aspect whatsoever, but must be entirely cultural—or spiritual—in their nature.

The nearest approach to a territory or a government of their own for the Jews can be had, if at all, in Palestine, the old land of Israel, the Jews' old home, the repeopling of which has ever been one of the national aspirations of the Jews. This does not mean, necessarily, that all the Jews must be centred there, or that there must be an independent Jewish State or Jewish government. It means merely that those Jews who think they can serve their own people and the world best by contributing their energies to the creation in Palestine of a Jewish Centre for the Jewish people should be given every opportunity to do so under a government liberal enough, be it republican or monarchical, be it Turkish, English, French, Russian, German—to guarantee them freedom and liberty to develop the Jewish soul and the Jewish life and the Jewish hope, to the utmost.

Some of us Jews believe in these various rights for the small Jewish nation, because we believe in the Jews themselves, because we believe that the Jewish people has within it spiritual forces which should be developed for the sake of all mankind. The Jews, preserving their identity as an international people with a national centre in Palestine, replenishing the Jewish life everywhere with beauty, ideas, spirituality, should and can serve mankind as one of the greatly needed exponents of justice and of peace.

As to the rights of the Jews, therefore, as one of the small nations, I would say that:

1. Wherever they are, they have the right to life, liberty and the pursuit of happiness.

2. In states which are federations of nations and where the Jews live in considerable numbers, such as Austro-Hungary, Poland, Lithuania, Russia, they have the same rights—political and otherwise—as other nations.

3. In Palestine, the ancient home of the Jewish people, they have the right to develop a Jewish centre for the whole Jewish People. What political forms this centre is to assume must remain a secondary matter, as long as, in any event, they have complete freedom to live and to develop their Jewish soul to the utmost.